(7)

SINGLE BENCH

Cr 1007/06 (1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 4317 Of 2006

PETITIONER : Kamla Prasad Paikara S/o Shri Bona Ram Sharma , aged about 34 years , Assistant Teacher, Primary School Kundikala Block Rajpur District Surguja (Ambikapur) (CG).R/o C/o Shri Suresh Jaiswal , near house of Shri Luice Lakra , Utari Ring Road, Kedarpur. Ambikapur (CG).

P.R. No. 4193/06
Presented by Shri Rakesh Anthony
dated 2/8/06

VERSUS

RESPONDENTS : 1.The State of Chhattisgarh, through the Secretary , SC/ST Development Department, Mantralay , D.K.S. Bhawan, Raipur (CG).

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2. Assistant Commissioner , Tribal Development , Ambikapur District Surguja (CG).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(92)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4317/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

17.8.2006

Mr. S.K. Thomas, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the State on advance copy.

Heard.

By this petition, the petitioner, who is working as Assistant Grade-III in the Primary School Kundikala, Block Rajpur, District Sarguja has challenged his transfer order dated 7.7.2006 (Annexure P-1) whereby he has been transferred to Primary School Matlunga, Block Manora, District Jashpur.

The main grievance of the petitioner is that he is working as Assistant Teacher and his seniority is being maintained at the district level, whereas, by the impugned order he has been transferred to other district, which is not permissible.

Learned counsel for the petitioner submits that if the order impugned is allowed to be executed, then the seniority of petitioner shall be affected, therefore, the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, he be directed to decide the same in accordance with law.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation raising all his grievances to respondent No.1 within 10 days from today along with copy of this petition & annexures and in turn, respondent No.1 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the points raised by the petitioner.

In the meantime, till the decision of the representation, the effect and operation of impugned order dated 7.7.2006 (Annexure P-1) in respect of the petitioner herein shall remained stayed.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.3346/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-